

Senate Bill No. 946

CHAPTER 206

An act to add and repeal Section 12814.8 to the Vehicle Code, relating to vehicles.

[Approved by Governor July 27, 1999. Filed with
Secretary of State July 28, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

SB 946, Vasconcellos. Classroom environment: pilot project.

Existing law requires any driver's license issued to a person under 18 years of age to be issued pursuant to a specified provisional licensing program.

This bill would require the Department of Motor Vehicles to conduct a pilot project to compare the effectiveness of driver education programs conducted in a nonclassroom environment with those conducted in a classroom-based environment for persons under the age of 18 years, as specified. The bill, among other things, would specify that persons participating in this pilot project who meet the course requirements for a certificate of completion shall be deemed to have complied with the driver's education requirements for a provisional driver's license.

The bill would require the department to complete a study concerning the pilot project and to report to the Legislature not later than May 31, 2003, except as specified.

The bill would repeal these provisions on January 1, 2004, unless a later enacted statute that is enacted on or before January 1, 2004, deletes or extends that date.

The people of the State of California do enact as follows:

SECTION 1. Section 12814.8 is added to the Vehicle Code, to read:

12814.8. (a) The department shall conduct a pilot study of persons under 18 years of age to compare the effectiveness of driver education programs conducted in a nonclassroom environment with classroom-based programs.

(b) For the purpose of this section, the following definitions apply:

(1) "Driver education" is automobile driver education, as described in subdivision (j) of Section 51220 of, and Section 51220.1 of, the Education Code.

(2) "Exit examination" is a test designed by the department and administered to each participant in the study to evaluate traffic safety knowledge and driver attitude.

(3) “Private school” is any entity that has complied with Section 33190 of the Education Code.

(c) The department shall select a number of providers to participate in the study to ensure that each of the following categories of programs are adequately represented:

(1) A driver education program delivered in a classroom environment under the direct supervision of an instructor as required in Chapter 1 (commencing with Section 11100) of Division 5.

(2) A driver education program that uses printed materials or computer-based delivery methods, or both, that meets all of the following requirements:

(A) The program has operated using a nonclassroom format for not less than four years.

(B) The program has provided a minimum of 2,000 hours of driver education, as described in subdivision (j) of Section 51220 of the Education Code, and the principal of the school holds a driving school operator’s license issued by the department.

(C) Is a California private secondary school.

(3) A driver education program licensed under Chapter 1 (commencing with Section 11100) of Division 5 selected by the department to present a nonclassroom course utilizing printed materials based upon a model curriculum approved by the department.

(4) A driver education program licensed under Chapter 1 (commencing with Section 11100) of Division 5 selected by the department to present a nonclassroom course utilizing an interactive, computer-based program that follows a model curriculum approved by the department.

(d) The department shall require the selected providers to do all of the following:

(1) Submit to the department a statement that the school, if applicable, is in compliance with Section 33191 of the Education Code.

(2) Maintain on file a release statement signed by the parent or guardian of each student in the study permitting the release of information deemed by the department to be relevant to the completion of the study. The form and contents of the release statement shall be determined by the department.

(3) Provide, at no cost to the department, on a schedule to be determined by the department, information pertaining to the provider’s students, including, but not limited to, the student’s true full name, the student’s birth date, the certificate number, and the date the certificate was issued. All information provided to the department that identifies a specific individual participating in the pilot project shall be kept confidential. All data collected pursuant to this section shall be used only for the purposes of the pilot project.



(4) Maintain all records and proof of compliance under the terms of this section as follows:

(A) Records shall be available for inspection during regular business hours at the principal place of business of the provider by an authorized representative of the department.

(B) Individual records for pilot project participants shall not be requested prior to the 10th working day following completion of the course, and inspections may not take place on Saturdays, Sundays, and legal holidays.

(C) Providers need not retain records for purposes of inspection under this pilot project after January 1, 2004.

(e) The department shall include not less than 8,000 students in the pilot project, with approximately 2,000 participants in each of the groups described in subdivision (c).

(f) The department shall employ a consultant group with established expertise in designing and evaluating driver education curricula for the purpose of developing the curriculum and program standards to be used in this pilot project.

(g) The department shall develop, to the greatest extent possible, a system which randomly assigns students to the programs to be studied during the pilot period.

(h) In order to facilitate the progress of this project, the department shall release all necessary certificates, forms, and booklets to the providers in a timely manner.

(i) The department shall compare the results of exit examination, and the pass and fail rates for written tests and driving tests, of study participants.

(j) Persons participating in this pilot project who meet the course requirements for a certificate of completion shall be deemed to have complied with the automobile driver education requirements for a provisional driver's license pursuant to Section 12814.6.

(k) The department shall collect the data to be used in this pilot project during the period beginning on January 1, 2001, and ending on December 31, 2002.

(l) Notwithstanding Section 7550.5 of the Government Code, and subject to subdivision (m), the department shall submit a report of the results of the pilot project to the Legislature not later than May 31, 2003.

(m) The execution and transmission of the final report specified in subdivision (l) is contingent on the department's ability to obtain sufficient numbers of program providers and student applicants as required under this section. If the number of participants specified in subdivision (e) is not obtained, the department shall recommend the termination of the pilot project by notifying the Legislature of this fact in writing not later than January 1, 2002.

(n) Nothing in this section shall be construed to impede the ability of any provider selected for this pilot project to continue to provide services to persons who are not participants in the pilot project.

(o) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted on or before January 1, 2004, deletes or extends that date.

